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Attorney Docket No.: 23239-540

1/FAJ

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Epstein, et al.  
SERIAL NUMBER : 10/677,807 EXAMINER : Cheyne D. Ly  
FILING DATE : October 1, 2003 ART UNIT : 1631  
FOR : THERAPEUTIC APTAMERS HAVING BINDING SPECIFICITY TO GP41 OF HIV

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copies of Cited References: C69-70; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 23239-540. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

  
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Ivor R. Elrifi, Reg. No. 39,529  
Jennifer A. Karnakis, Reg. No. 53,097  
Attorney(s) for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
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Tel: (617) 542-6000  
Fax: (617) 542-2241

Date: August 4, 2005



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed required. By the waiver of 37 CFR 1.98(a)(2)(i) a copy of the U.S. Patent A3 is not submitted.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: **Epstein, et al.**  
U.S.S.N.: **10/677,807**

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 23239-540.

Respectfully submitted,

  
\_\_\_\_\_  
Ivor R. Elrifi, Reg. No. 39,529  
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Attorney(s) for Applicants  
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Date: August 4, 2005

TRA 2060278v1

Please type a plus sign (+) in this box

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Modified Form 1449/PTO		Application Number	10/677,807
		Filing Date	October 1, 2003
		First Named Inventor	Epstein
		Group Art Unit	1631
		Examiner Name	Cheyne D. Ly
		Attorney Docket Number	23239-540
(use as many sheets as necessary)			

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	*A3	5,972,599	10/26/99	Tasset et al.	435	6	

FOREIGN PATENT DOCUMENTS					
Exam Initials	Cite No.	Foreign Patent Document Office	Document Number	Name of Patentee(s) or Applicant(s)	Date of Publication

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS					
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.			
	C69	Bunnell et al. <i>Clin. Microbiol. Rev.</i> , 11(1):42-56 (1998)			
	C70	International Search Report for PCT/US03/31365, mailed April 15, 2005.			

\* By the waiver of 37 CFR 1.98(a)(2)(i) a copy of the U.S. Patent A3 is not submitted.

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.